

## **Remarks**

The present response is to the Office Action mailed in the above referenced case on March 18, 2008. Claims 41-67 are standing for examination.

### **Claim Objections**

Claims 66 and 67 remain objected to because of the following informalities: Applicant corrected the dependency of claims 66 and 67 which are now dependent from claim 59; however Applicant has failed to re-rewrite the claims as method steps and to distinguish claims 66 and 67 from claims 48 and 49 which are already drawn to the Web server. Appropriate correction is required.

### **Applicant's response:**

Applicant herein amends claims 66 and 67 to recite method steps, as required by the Examiner. Said claims, as amended, distinguish from claims 48 and 49 because they depend from separate independent claims. Applicant believes this is sufficient to adequately distinguish the claims.

### **Rejection under 35 U.S.C. 103(a)**

Claims 41-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drummond et al. (hereinafter Drummond) US 2001/0014881 in view of Vittal et al. (hereinafter Vittal) U.S. Patent 6,907,401 2001 10014881.

### **Examiner's rejection**

Claims 41, 50 and 59, Drummond teaches A first Web server hosted by a first enterprise, comprising: a first mechanism for receiving a request for information or services from a customer (page 7, paragraph 0098); a second mechanism for determining whether the request comes directly from the customer, or through a second Web server at a second enterprise (page 6, paragraph 0113-0116); and a third mechanism for

responding with information or provided service to the request; (page 7, paragraph 0118-0119 and page 9, paragraphs 0144-0145).

Drummond fails to teach identifying a particular server and filtering the information. Vittal teaches a portal switch for electronic commerce in which users can search for a desired item from a merchant (column 5, lines 39-59). Vittal further teaches that the user can perform the search by either interrogating the aggregator catalog and data profile or by searching directly the merchant databases (column 5, lines 39-59). The merchant server is connected to the aggregator through the portal (column 5, line 60 through column 6, line 6). Therefore it would have been obvious to one of ordinary skill in the art to modify the transaction teachings of Drummond in which certain financial transactions are carried out by different ATMs with the direct and portal communication teachings of Vittal because it allows for specific services/items to be made available to a user based on the manner in which the user is accessing/requesting the service.

#### **Applicant's response**

Applicant points out the Examiner states, "Drummond fails to teach identifying a particular server and filtering the information." The Examiner further states that Vittal teaches; a portal switch for electronic commerce in which users can search for a desired item from a merchant; the user can perform the search by either interrogating the aggregator catalog and data profile or by searching directly the merchant databases; The merchant server is connected to the aggregator through the portal. The Examiner then states that it would have been obvious to one of ordinary skill in the art to modify the transaction teachings of Drummond in which certain financial transactions are carried out by different ATMs with the direct and portal communication teachings of Vittal because it allows for specific services/items to be made available to a user based on the manner in which the user is accessing/requesting the service.

Applicant argues that the language of claims 40, 51 and 59 do not recite "identifying a particular server and filtering the information" as espoused by the Examiner. Applicant's claim language specifically recites; "a second mechanism for

determining whether the request comes directly from the customer, or through a second Web server at a second enterprise; wherein, if the request is directly from the customer, the information response or service is identified as from the first enterprise, and if the request comes to the first enterprise through the Web server at the second enterprise, the information response or service is identified as from the second enterprise. Applicant argues that “filtering information” does not read on applicant’s far more narrow limitation: “the information response or service is identified as from the first enterprise, and if the request comes to the first enterprise through the Web server at the second enterprise, the information response or service is identified as from the second enterprise.”

Applicant points out that “filtering” is understood in the English language and by one with skill in the art as removing at least partial part of a whole part of information, in the present case. Applicant’s claim language recites “if the request is directly from the customer, the information response or service is identified as from the first enterprise, and if the request comes to the first enterprise through the Web server at the second enterprise, the information response or service is identified as from the second enterprise” Applicant argues that changing the identification of the responder to the request based on an identified source of the request, as claimed, does not constitute filtering, as espoused by the Examiner.

Applicant argues that Drummond fails to teach an ability to determine whether a request comes directly from the customer, or through a second Web server at a second enterprise. The Examiner gives paragraphs 0113-0116 of Drummond to read on said limitation. Applicant, unfortunately, must make assumptions in the present response as to what, specifically, in the teachings of Drummond read on applicant’s claim language, as no further explanation was provided by the Examiner. Applicant provides each paragraph 0113-0116 below with arguments.

“[0113] FIGS. 5-8 schematically show exemplary protocols for registering transaction services on an ATM network, and communicating with services. FIG. 5 shows an

exemplary embodiment of a “discovery” protocol 190. Here a service 200 has been newly connected to a network. The service has network configuration objects 202 that are operative to send a discovery request message 206 out on the network. This request 206 is preferably multicasted to all lookup services that might be present (in TCP/IP environments the network protocol used may be multicast UDP). In alternate environments, services may be operative to unicast a request to a specific lookup service using its known IP or URL address.”

Applicant assumes the service 200 reads on applicant’s claimed customer. Applicant points out that the network as described in Drummond is a closed ATM network, wherein all discovery request messages are from known sources. Applicant fails to see any other teaching in the above paragraph, other than showing the ID of a customer making a request. If the Examiner is relying on any other subject matter from the above paragraph that reads on applicant’s claimed ability to determine whether a request comes directly from the customer, or through a second Web server at a second enterprise, applicant respectfully request the Examiner point it out, specifically.

“[0114] The request 206 includes a source address 207 such as the IP address of the service 200. Each lookup service 208 on the network is operative to respond to the request message with a discovery response 210. Because the source address 207 of the service 200 is known, the discovery response 210 is not multicasted to all services, but is unicast directly to the service initiating the discovery.”

Applicant argues that the above paragraph clearly teaches that the request is accompanied by the IP address of the customer. The lookup service 208 sends any response to the IP address provided in the request, or to the customer because the customer is known by the lookup service. Applicant argues that, not only does Drummond fail to actively recognize whether a request comes directly from a customer or through a second Web server at a second enterprise, but the specific teaching of the

request including an address for the response actually teaches away from said limitation.

“[0115] The response 210 includes a copy 212 of the lookup service proxy 209 for remotely invoking methods of the lookup service 208. In the exemplary embodiment the lookup service proxy is a Java® class with methods for: registering with the network; negotiating leases for the amount of time the service can be connected to the ATM network; and for looking up other services on the network based on a search criteria.”

Applicant fails to recognize any teachings in the above paragraph which may teach or suggest an ability to determine whether a request comes directly from the customer, or through a second Web server at a second enterprise, as claimed. Nor is there any teaching of identifying the source of the response differently depending on where the request came from. If the Examiner is relying on any other subject matter from the above paragraph that reads on said claim limitation, applicant respectfully requests the Examiner point it out, specifically.

“[0116] FIG. 6 schematically represents a “join” protocol 220. Here the network configuration objects 202 of the service 200 invoke a registration method of the lookup proxy 212. This method is operative to send registration data 224 that includes a copy 226 of a service proxy 222 and specific attributes 228 of the service to the lookup service 208. These attributes define the characteristic of the particular type of service. For example if the service is a printer, the attributes may specify that the printer is a color printer. The lookup service 208 preferably stores all uploaded service proxies in a proxy storage area 229.”

Applicant argues that the above paragraph teaches that the service (customer) sends attributes to the lookup service. Applicant points out that apparently, in the art of Drummond, the service 200, which the Examiner relies upon to teach applicant's claimed

customer, can be a printer. Surely the Examiner is not supposing that the printer of Drummond may read on a customer making a request, as claimed. Applicant fails to recognize any teachings in the above paragraph which may teach or suggest an ability to determine whether a request comes directly from the customer, or through a second Web server at a second enterprise, as claimed. If the Examiner is relying on any other subject matter from the above paragraph that reads on said claim limitation, applicant respectfully request the Examiner point it out, specifically. Clearly, applicant has shown that the paragraphs 0113-0116, relied upon by the Examiner fail to teach or suggest an ability to determine whether a request comes directly from the customer, or through a second Web server at a second enterprise. Drummond automatically responds to whatever IP address is included in the request and does not consider the source, or apply differing identifications of a responder based on the identified source of the request.

Applicant believes it would be helpful to additionally explain the functions and purpose of applicant's invention as taught in the specification and recited in the claims. In this embodiment the service delivers servelets to providers and distributors that know how to communicate with the network infrastructure and to execute functions to transport data and transactions data, including instructions. In this example, the provider or distributor is Yahoo™. Because Yahoo™ has the capabilities to navigate the Internet, collecting customer financial data and performing transaction and instruction to third parties, the service works through Yahoo™, as the service directly interacting with the customer may not have said capabilities.

Instead of simple publishing data through the service's network, Yahoo™ may now, through the added capability, publish transaction protocols that allow the main service to proxy transactions on behalf of an end user. Also, the providers will have ultimate control over who, what when, and how for access to functionality to publish such transactions. Providers will be able to distinguish end users accessing the service as well as how they are accessing, and from where, and can use this information in access control.

One example of applicant's claimed system is an end user may drag-and-drop (1602) from either account A or account B to the entry for Biller A in order to pay bills with a bill paying service. Hyperlinks associated with interface 1601 now form a message (command) 1603 to the Service to pay Biller A with money from Bank B, in this case from the Savings account.

In this particular example the original message is shown as originating at the user's interface and going to Yahoo<sup>TM</sup>. The Service, in this case, is being provided to the end user as a Yahoo<sup>TM</sup> subscriber, through Yahoo<sup>TM</sup> infrastructure. In other cases the features may be provided by the service directly to subscribers to the Service.

As seen above, applicant's invention must determine whether the customer is accessing the Service directly, or through the Yahoo<sup>TM</sup> service. Responses always come from the Service, although they may be identified as originating either from the Service, or from Yahoo<sup>TM</sup>.

Applicant points out that the art presented by the Examiner does not deal with the problem applicant's invention solves. As argued above, the art of Drummond and Vittal, either singly, or in combination, fail to teach a second mechanism for determining whether the request comes directly from the customer, or through a second Web server at a second enterprise, wherein, if the request is directly from the customer, the information response or service is identified as from the first enterprise, and if the request comes to the first enterprise through the Web server at the second enterprise, the information response or service is identified as from the second enterprise.

For the above reasons, applicant believes that claims 41-67, as argued above, are clearly and unarguably patentable over the art presented by the Examiner.

## **Summary**

As all of the claims have been shown to be patentable over the art of record, applicant respectfully requests reconsideration, and that the present case be passed quickly to issue. If there are any time extensions needed beyond any extension

specifically requested with this response, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,  
Gregg Freishtat et al.

By *Donald R. Boys*  
Donald R. Boys  
Reg. No. 35,074

Central Coast Patent Agency, Inc.  
3 Hangar Way, Suite D  
Watsonville, CA 95076  
831-768-1755